

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension)
of the License to Conduct Gambling)
Activities of:)
)
Shaun Claiborne,)
Wenatchee, Washington,)
)
Licensee.)
_____)

No. CR 2009-00100

**NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING**

I.

The Washington State Gambling Commission issued Shaun Claiborne the following license: Number 68-16934, Authorizing Class "B" Card Room Employee Activity. The license, which expires on April 16, 2009, was issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Dave Trujillo, Assistant Director of the Washington State Gambling Commission, charges the licensee with the following violation of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- On December 14, 2008, the licensee allowed a minor to gamble at the Buzz Inn Casino, in Wenatchee, violating WAC 230-06-010.
- The licensee was issued a Notice of Violation and Settlement¹ (NOVAS) on December 17, 2008, for allowing a minor to gamble. As of February 11, 2009, Mr. Claiborne had not paid the NOVAS.
- Therefore, Grounds exist to suspend Mr. Claiborne's license under RCW 9.46.075(1) and WAC 230-03-085(1).

RCW 9.46.075

The Commission may suspend or revoke any license issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

¹ The Notice of Violation and Settlement (NOVAS) identifies the violation and gives the recipient the opportunity to pay a fine to settle the matter.

WAC 230-03-085 Denying, suspending, or revoking a license

We may suspend or revoke any license when the licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization: (1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

WAC 230-06-010 Age restriction for players

No person must allow anyone under the age of eighteen to participate in gambling activities except:

- (1) To play in licensed bingo games when accompanied by an adult member of his or her immediate family or a guardian, who is at least eighteen years old; or
- (2) To play bingo at agricultural fairs or school carnivals; or
- (3) To play amusement games; or
- (4) To sell raffle tickets for a charitable or nonprofit organization.

III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

The licensee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed REQUEST FOR HEARING must be COMPLETED AND RETURNED to the Gambling Commission *within 23 days* from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return this document will result in the entry of a default order SUSPENDING your license for 30 days.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

Dave Trujillo, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Assistant Director of the Washington State Gambling Commission, and in that capacity has executed said Notice.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)


Dave Trujillo, Assistant Director

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.


Dated at Olympia, Washington this 17 day of February, 2009

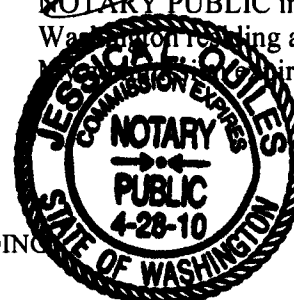
Communications and Legal Department
Washington State Gambling Commission



Shaun Claiborne
NOTICE OF ADMINISTRATIVE CHARGES
AND OPPORTUNITY FOR ADJUDICATIVE PROCEEDING
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SUBSCRIBED AND SWORN TO before me
this 17 day of February, 2009.


NOTARY PUBLIC in and for the State of
Washington residing at Thurston County
expires on 4-28-2010



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